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| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | CONTRACT ID CODE DO-C9(T) | | PAGE OF PAGES 1 2 | | |
| 2. AMENDMENT/MODIFICATION NO. P00003 | | 3. EFFECTIVE DATE SEE BLOCK 16C | | 4. REQUISITION/PURCHASE REG. NO. 03PR06340-01 | | 5. PROJECT NO. (If applicable) N.A. | |
| 6. ISSUED BY CODE | | N00014 | | 7. ADMINISTERED BY (If other than Item 6) SCD-C | | CODE S1103A | |
| OFFICE OF NAVAL RESEARCH ONR 251: Michael Shimoff (703) 696-5639 BALLSTON TOWER CENTRE ONE 800 NORTH QUINCY STREET ARLINGTON, VA 22217-5660 | | | | DCM ATLANTA 805 WALKER STREET, SUITE 1 MARIETTA, GA 30060-2789 | | | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and Zip Code) CREE INC. 4600 SILICON DRIVE, DURHAM, NC 27703 | | | | (X) | | 9A. AMENDMENT OF SOLICITATION NO. N.A. | |
| | | | | | | 9B. DATED (SEE ITEM 11) | |
| | | | | X | | 10A. MODIFICATION OF CONTRACT/ORDER NO. N00014-02-C-0302 | |
| CODE 0C9J8 | | FACILITY CODE | | | | 10B. DATED (SEE ITEM 13) 28 JUN 2002 | |

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended ☐ is not extended

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
(a) By completing items 8 and 15, and returning ___ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If, by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

N/A

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED ITEM 14.

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| THIS CHANGE ORDER IS ISSUED PURSUANT TO (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. | |
| THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b). | |
| C. SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: N.A. | |
| AUTHORITY FOR OTHER THAN FULL AND OPEN COMPETITION: | |
| D. OTHER (Specify type of modification and authority) | |
| (X) FAR 43.103(a) and Mutual Agreement of the Parties | |

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 2 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See Page 2.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

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| 15A. NAME AND TITLE OF SIGNER (Type or print) John W. Palmour - Director of Advanced Devices | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Susan M. Sutherland, Contracting Officer | |
| 15C. DATE SIGNED 2/14/03 | | 16B. UNITED STATES OF AMERICA By: (b) (6) | |
| (b) (6) | | 16C. DATE SIGNED 2/25/03 | |
| (Signature of person authorized to sign) | | (Signature of Contracting Officer) | |

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STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

The purpose of this modification is to add a Residual Materials paragraph to Section H of Contract N00014-02-C-0302.

Effective as of the date of this Modification:

1. The following paragraph is added to Section H, Special Contract Requirements, of the contract.

8. Residual Materials

The contractor may retain any residual materials (such as excess wafers, masks) resulting from its efforts to produce the wafers, chips, and/or other non-report deliverables specified in Section B to be delivered to the Government. The contractor is encouraged to utilize these residual materials as it sees fit for the further dual-use development of the underlying technology.

2. This modification has no affect on the Total Estimated Cost of the contract.

3. All other terms and conditions remain unchanged.

Contract Distribution Sheet

PR Number: 03PR06340-01
Contract Number: N00014-02-C-0302-
Specialist: MS ONR: 251

Distribution Date: 2-25-03 Distributed By: (b) (6)

— PCO, ONR Arlington (Original)

— Contractor (Duplicate Original)
Short Contractor Code and Address:
CREE
CREE INC
4600 SILICON DRIVE
DURHAM, NC 27703

— ACO
ACO MILSCAP Code & Address S1103A:
DCM ATLANTA
805 WALKER STREET SUITE 1
MARIETTA, GA 30060-2789

— Payment Office
DODAAD Code and Address HQ0338:
DFAS COLUMBUS CENTER DFAS CO SOUTH ENTITLEMENT OPERATIONS
PO BOX 182264
COLUMBUS, OH 43218-2264

— ONR:
00CC11
Program Officer: Harry Dietrich, ONR 312

DCAA